

The Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

NOAH SAEEDY et al.,

Plaintiffs,

v.

MICROSOFT CORPORATION,

Defendant.

No. 2:23-cv-01104-BJR

STIPULATION AND ORDER FOR  
OVERLENGTH BRIEFING ON MOTION  
TO DISMISS

Plaintiffs Noah Saeedy, Vishal Shah, Tina Wilkinson, and M.S. and Defendant Microsoft Corporation, by and through their respective counsel, stipulate and agree as follows:

1. Plaintiffs initiated this lawsuit on July 21, 2023.
2. Plaintiffs' Complaint is 92 pages and 357 paragraphs long, and has 13 causes of action under Washington, California, and Federal law.
3. Microsoft intends to respond to Plaintiffs' Complaint by filing a Motion to Dismiss that will raise both Article III standing arguments under Rule 12(b)(1) and arguments under Rule 12(b)(6). Microsoft believes it cannot present its Article III standing and Rule 12(b)(6) arguments on the 13 claims within the 15 pages allotted under the Court's Standing Order. Having drafted its papers, Microsoft believes it requires 28 pages to present its arguments effectively. Plaintiffs disagree and believe that a nine-page extension, to 24 pages, would suffice. In the interest of compromise, Plaintiffs made offers of 25 pages and then 26 pages. Given

1 Microsoft's representation that it made efforts to shorten its motion to fewer than 28 pages but  
2 was unable to do so and would therefore file a motion with the Court seeking 28 pages for its  
3 motion, and in the interest of sparing the Court a dispute on this topic, Plaintiffs agreed to the 28  
4 pages.

5 4. The parties agree, subject to the Court's approval, that the parties may file briefs  
6 of the following length:

7 a. Microsoft's Motion to Dismiss: 28 pages.

8 b. Plaintiffs' Response to Microsoft's Motion to Dismiss: 28 pages.

9 c. Microsoft's Reply in Support of its Motion to Dismiss: 14 pages.

10 5. This case, as it relates to Microsoft's proposed Motion to Dismiss above, meets  
11 the Court's requirement of "extraordinary complexity" meriting overlength briefs because of the  
12 number of allegations and causes of action, as well as the fact that there are claims under two  
13 states' laws and Federal law.

14 IT IS SO STIPULATED.

15  
16 DATED this 26th day of September, 2023.

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**ORDER**

1. Pursuant to stipulation, IT IS SO ORDERED. The parties may file briefs of the following length:

- a. Microsoft's Motion to Dismiss: 28 pages.
- b. Plaintiffs' Response to Microsoft's Motion to Dismiss: 28 pages.
- c. Microsoft's Reply in Support of its Motion to Dismiss: 14 pages.

DATED this 27th day of September, 2023.



Honorable Barbara J. Rothstein  
United States District Judge